

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 5.0.3
Eastern Division**

Flava Works, Inc.

Plaintiff,

v.

Case No.: 1:11-cv-05100

Honorable Edmond E. Chang

Andrew Clavio, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, July 31, 2012:

MINUTE entry before Honorable Edmond E. Chang: Hearing held on Defendant's motion to dismiss Plaintiffs third amended complaint [75]. Plaintiff's counsel did not appear. For the reasons stated in open court, Defendant's motion [75] is denied. Plaintiff's motion for leave to file a third amended complaint [72] is granted. Although this latest version of the complaint is still confusing, when the exhibits are read in combination with the allegations, the complaint states a claim and is sufficiently specific at this state of the litigation. However, Defendant is of course authorized not to serve discovery requests on Plaintiff, including discovery concerning the "unique" code—and the tracking software—that Plaintiff alleges was used to identify Defendant as an infringer. If a protective order is needed, the parties must promptly confer about its contents and propose it to the Court. Moreover, Plaintiff is warned that if Defendant prevails, costs will almost surely be assessed against Plaintiff, including the costs associated with the second amended complaint, which did not state a claim. Plaintiff shall electronically file the third amended complaint as a separate document. Defendant's answer to the third amended complaint is due on or before 08/30/12. Rule 26(a)(1) disclosures due 08/30/12. Fact discovery to be completed by 11/28/12. Status hearing set for 10/04/12 at 8:30 a.m. Plaintiffs counsel must appear at the status hearing. Mailed notice(slb,)

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